

REMARKS

Claims 12-24 are pending in the present application. None of the claims were amended in this response. Favorable reconsideration is respectfully requested.

Claim 24 was rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Specifically, the Office Action alleges that “[c]laims that recite nothing but the physical characteristics of a form of energy, such as a frequency, voltage, or the strength of a magnetic field, define energy or magnetism per se, and as such are nonstatutory natural phenomenon.” While this position correctly states the law, this line on reasoning is wholly inapplicable to claim 24. First, It is apparent that the claim is not attempting to claim the physical properties of a signal, but is claiming a computer program product. that enables a computer to perform the recited steps that produce a useful concrete and tangible result. Other than the conclusory statement provided in paragraph 2 of the Office Action, the Office fails to explain how the recited features are “nothing but the physical characteristics of a form of energy.” Second, computer program products have long been recognized as statutory subject matter. *See, In re Beauregard*, 53 F.3d 1583 (Fed. Cir. 1995). Accordingly, Applicant respectfully submits the rejection is improper and should be withdrawn

Claims 12-24 were rejected under 35 U.S.C. §102(b) as being anticipated by *Mostafa* (WO 02/43414). Applicant respectfully traverses this rejections for the following reasons.

Specifically, the cited art, alone or in combination, fails to teach or suggest the features of “performing at least one of a data type and a data format conversion in accordance with a profile of a receiver of the data; and updating a link, after the conversion, to maintain a validity of the link in the data between the different data elements” as recited in claim 12, and similarly recited in claims 18 and 24. For the purposes of background information, and as an example, every multimedia message (MM) that arrives at an MMS relay/server of the receiver is verified to see whether it contains a link to another file. Where appropriate, all header fields in the header of the MM and in the headers of the individual MM elements are verified, where an MM element contains a link (e.g., SMIL, HTML or txt). Since the MM elements that are opened are, as a rule, much smaller than MM elements MM-E that do not have to be opened (non-linked), the additional processing load in the MMS relay/server of the MMS service provider is very low. Accordingly, a MMS service provider can guarantee to his/her customers that all links, both

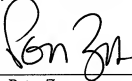
internal links and external links, contained in a multimedia message MM can be triggered in accordance with the information from the MMS user agent profile of the receiver (see specification page 12, last-paragraph - page 13).

Regarding Mostafa, the reference teaches that during the MMS notification process, and before media content is provided, the system (1) checks the format of at least one component of the received media content (2) determines, by using the recipient data, whether the format is appropriate for at least one addressed recipient; and (3) if necessary, translate the component into a format appropriate for said at least one addressed recipient (page 7, lines 21-29). During transmission, streaming parameters are transported in a URI format, so that the MMS notification will indicate that a stream may begin (page 20, lines 5-24). While Mostafa teaches a conversion of the media content, Mostafa fails to teach or suggest that, after the conversion, the validity of the link in the data between the different data elements is maintained. The streaming parameters disclosed in Mostafa are not "different data elements" that rely on linking in any way.

In light of the above, Applicants respectfully submit that claims 12-24 are both novel and non-obvious over the art of record. Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case. If any additional fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket no. (0112740-1027) on the account statement.

Respectfully submitted,

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